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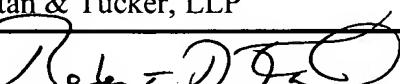
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Total Number of Pages in This Submission

Application Number	10/729,330
Filing Date	December 4, 2003
First Named Inventor	Cameron A. Riddell
Art Unit	3643
Examiner Name	Unknown
Attorney Docket Number	525.01-US2

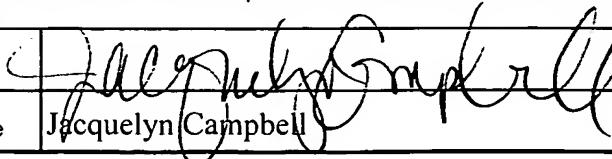
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<input type="checkbox"/> Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Rutan & Tucker, LLP		
Signature			
Printed name	Robert D. Fish		
Date	2/21/07	Reg. No.	33880

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



FEB 21 2007

Patent  
Attny Dkt. No. 525.01-US2IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231

Inventor: Cameron A. Riddell

Serial No: 10/729330

Filed: Dec. 4, 2003

For: Electric Deterrent Device

Examiner: Baisa, Joselito Sasis

Art Unit: 3643

4<sup>TH</sup> SUBMISSION OF PRIOR ART UNDER 35 U.S.C. 301

The undersigned requests that the Office consider the following documents in evaluating patentability of the claims in the above-captioned patent application, and to the extent appropriate, the corresponding PCT application, (WO 2005/055865).

The following references have apparently not previously been considered by the Office, and further establish that the pending claims are either anticipated or completely obvious over the prior art.

S No.	Patent Number	Braided element with three or more strands	Braided element attached to base by sewing	Flexible base	Application: Animal / Bird deterrent
1.	<u>US5677674A</u>	Column 1 lines 45 - 55 and Column 3 lines 3-5	Column 3 lines 15 - 24	Column 2 lines 45 - 50	
2.	<u>WO1996008140A1</u>	Page 2 lines 5 - 10		Claim 1, Page 2 lines 5 - 10, and Page 2 lines 20 - 25	Claim 1
3.	<u>US5151319A</u>	Claim 1	Claims 1, 2 and Column 4 lines 1- 5	Column 2 lines 61 - 65	Column 2 lines 48 - 51
4.	<u>GB1207496A</u>	Page 1 lines 83-90 and Page 2 lines 1- 17	Claim 2		
5.	<u>EP592054A1</u>	Claim 1, 2, 9 and 10, and Column 3 lines 20-45			Claim 1
6.	<u>US5835332A</u>	Claims 2 and 3, and Column 2 lines 5 - 10	Column 2 lines 30 - 35	Claim 2 and Column 2 lines 5 - 7	
7.	<u>WO1984004022A1</u>	Claims 2 and 4, Page 5 lines 12 - 17	Claim 4, Page 5 lines 12 - 17		Claim 1 and Page 1 lines 1-5
8.	<u>US4352007A</u>	Claims 1, 2 and 4			

The following two references were already cited, but are listed below to show their particular relevance to the currently pending claims. In view of these references, it should be clear that the applicant cannot establish patentability by focusing on the number of strands in the braid, or sewing the braid to a flexible base.

S No.	Patent Number	Braided element with three or more strands	Braided element attached to base by sewing	Flexible base	Application: Animal / Bird deterrent
1.	<u>US5036166A</u>	Claim 9, Column 6 lines 62-68, and Column 7 lines 1-8		Claims 2, 3 and 12	Claim 1
2.	<u>US6341550B1</u>	Claim 1, 4 and 6, and Column 3, line 33-52		Column 3 lines 33-48	Claim 1

Copies are included.

By:



Robert D. Fish

Reg. no. 33,880